

Message Text

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PAGE 01 BOMBAY 01263 011047Z
ACTION L-03

INFO OCT-01 NEA-10 ISO-00 OES-07 ERDA-05 NRC-05 AID-05
IO-13 ACDA-07 CIAE-00 INR-07 NSAE-00 SSO-00
INRE-00 NSCE-00 EB-07 /070 W
-----011051Z 020344 /13
O R 011005Z JUN 77
FM AMCONSUL BOMBAY
TO SECSTATE WASHDC IMMEDIATE 7343
INFO AMEMBASSY NEW DELHI

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E.O. 11652 N/A
TAGS: TECH, ENRG, PARM, IN
SUBJ: TARAPUR FUEL STORAGE

REF: BOMBAY 1257

1. IN FURTHER CONVERSATION TODAY WITH J.C. SHAH ADDITIONAL
POINTS AROSE CONCERNING PROCEDURES FOR SIGNING THE STUDY
AGREEMENT AND FOR PROVIDING THE LEGAL ASSURANCES ABOUT COMPETENCE
OF THE SIGNING AUTHORITIES.

2. PROCEDURES FOR SIGNING: DR. SETHNA HAS INDICATED TO ME
SEVERAL TIMES THAT HE PREFERS TO AVOID HAVING INDIAN WASHINGTON
EMBASSY INVOLVED IN SIGNING PROCESS. HE THINKS THAT THEIR
INVOLVEMENT WOULD COMPLICATE RATHER THAN SPEED UP PROCESS
EVEN THOUGH ON SURFACE IT WOULD APPEAR TO BE A TIME-SAVING
DEVICE. AFTER CONSULTATION WITH SETHNA, SHAH NOW PROPOSES
THAT WASHINGTON TELEGRAPH WHATEVER MODIFICATIONS IT WISHES
TO MAKE TO TEXT TRANSMITTED IN BOMBAY 1200 AND THEN THE IAEC
WILL TYPE UP AGREEMENT ON "TREATY PAPER" IN THE REQUISITE
NUMBER OF COPIES, SIGN THEM HERE, PROVIDE THE OPINION REQUESTED
IN STATE 109391 PARA 15, AND FROM PACKET OF DOCUMENTS TO CONGEN
FOR TRANSMITTAL TO WASHINGTON AND SIGNATURE BY ERDA THERE.
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3. STATEMENT OF COMPETENCE. SHAH SAID THAT HE IS IN
CONTACT WITH THE LAW MINISTRY WHICH WOULD LIKE TO USE THE
TYPE OF OPINION THAT THE U.S. GOVERNMENT WILL PROVIDE
REGARDING THE COMPETENCE OF ITS SIGNING AUTHORITY
AS A MODEL FOR THE DOCUMENT THAT IT PROVIDES. IN OTHER
WORDS, THE LAW MINISTRY WANTS SOME SYMMETRY IN THESE

OPINIONS. THE INDIAN OFFICIALS RECOGNIZE THAT SINCE THERE MUST BE REFERENCES TO PERTINENT INDIAN LAW AND REGULATIONS THERE CANNOT BE AN EXACT EQUIVALENCE IN THE TWO STATEMENTS. SHAH SAYS THAT GIVING HIM THE MODEL TO WHICH THE U.S. CAN GENERALLY CONFORM ITS OPINION WILL MAKE HIS TASK MUCH EASIER AS THERE IS MUCH SENSITIVITY IN NEW DELHI ON THE SYMMETRY QUESTION IN SUCH AGREEMENTS. SHAH WOULD WELCOME SUGGESTIONS ON FORMAT FOR PROVIDING REFERENCES TO THESE PARTS OF INDIAN LAW SUPPORTING THE INDEMNITY PROVIDED IN CLAUSE 9 OF THE AGREEMENT.

4. I TOLD SHAH I WOULD REPORT IMMEDIATELY THIS CONVERSATION AND TRY TO GET BACK TO HIM IN THE NEXT 36 HOURS IF WE HAVE ANY PROBLEMS. HE IS QUITE CONCERNED ABOUT THE NEED FOR SPEED BUT ALSO DOES NOT WANT TO GET TOO FAR OUT ON A LIMB WITH THE LAW MINISTRY IF WE ARE GOING TO PROPOSE SOMETHING QUITE DIFFERENT FROM THE LINE HE IS NOW WORKING ON.
COURTNEY

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Message Attributes

Automatic Decaptioning: X
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Concepts: STORAGE, DIPLOMATIC DISCUSSIONS, NUCLEAR COOPERATION PROGRAMS, NUCLEAR FUELS
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
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Film Number: D770194-0947
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From: BOMBAY
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t197706104/aaaadndg.tel
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Litigation Codes:
Litigation History:
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